

***Remarks***

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1, 3-7, 14-20 and 23-31 are pending in the application, with claims 1 and 7 being the independent claims. Claims 1, 7, and 14-17 are sought to be amended. Claim 2 is sought to be cancelled, and claims 8-13, 21, and 22 were previously cancelled without prejudice to or disclaimer of the subject matter therein. Applicants reserve the right to prosecute similar or broader claims, with respect to any cancelled and amended claims, in the future. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding rejections and that they be withdrawn.

***Rejections under 35 U.S.C. § 103***

**Chen and Siemens**

At page 2 of the Office Action, the Examiner rejected claims 1-5 and 7 under 35 U.S.C. § 103(a) as being allegedly unpatentable over Chen *et al.* (EP 1130837A2) (“Chen”) in view of Siemens (EP 1179897) (“Siemens”). Without acquiescing to the propriety of the rejection, Applicants have cancelled claim 2. Applicants respectfully traverse this rejection for the remaining claims.

Without acquiescing to the propriety of the rejection, Applicants have amended claims 1 and 7 to recite further features that distinguish over the applied references. For example, claim 1 recites, *inter alia*, “*wherein the header of the frame structure indicates a coding rate of a first one of the blocks,*” and claim 7 recites, *inter alia*, “transmitting . . . a *frame structure* comprising a unique word and a plurality of blocks, wherein the unique word is variable *and indicates the transmission scheme of a first one* of said blocks” (emphasis added).

In Siemens, the header includes the coding rate for the second block rather than the first block, and the second block then includes the coding rate for the third block and so forth. For example, Siemens discloses “[t]he frames T1 , T2 etc. come one after the other on the channel; *frame T1 contains the table relevant to frame T2 (TAB\_T2);* in

this table the information M1, M2 etc. protected with a FEC code appears.” (Siemens: ¶ 40 and FIG. 1.) This is further illustrated by FIG. 1 of Siemens, reproduced below:

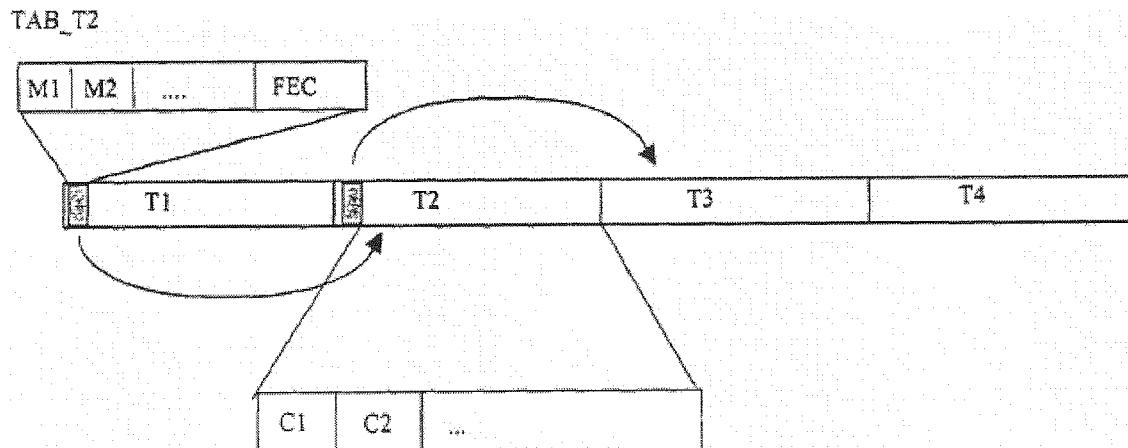


FIG.1

In contrast, amended independent claim 1 recites “wherein the header of the frame structure indicates a coding rate of a *first* one of the blocks” (emphasis added). This structure is chosen so that if the coding rate is to be changed for a subsequent one (or more) blocks, this is indicated in the first block of data. If there is no change to the coding rate for the subsequent blocks, no coding rate is transmitted in the first block. In this way the coding rate can be varied if necessary.

The reason for the above-described structure is that it allows selection of coding rates according to the different capabilities of different transceivers. For example, the initial coding rate transmitted in the header and valid for the first block is selected to match the capability of the least capable receiver, so that all receivers are able to receive the indication of the coding rate of subsequent blocks in the first block.

The structure described in Siemens is clearly different from that of amended independent claims 1 and 7, and nothing in Chen or Siemens teaches or suggests such a structure.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the 35 U.S.C. § 103(a) rejection of claims 1 and 7 and pass these claims to allowance. Additionally, at least based on their respective dependencies to claim 1, claims 3-5 should be found allowable over the applied references, as well as for their additional distinguishing features.

**Chen, Siemens, and Golitschek**

At page 5 of the Office Action, the Examiner rejected claim 6 under 35 U.S.C. § 103(a) as being allegedly unpatentable over Chen, in view of Siemens, and further in view of Golitschek *et al.* (WO 02/058314 A1) (“Golitschek”). Applicants respectfully traverse this rejection.

At page 6 of the Office Action the Examiner argues, to which Applicants do not acquiesce, that Golitschek teaches “a method wherein a first code word is adapted to a first code rate while subsequent code words are adapted to higher coding rates.” However, the Examiner does not use Golitschek to teach or suggest, nor does Golitschek teach or suggest, at least the above noted distinguishing features of claim 1. Thus, Golitschek does not cure all of the deficiencies of Chen and Siemens. Therefore, for at least the above-mentioned reasons, the Examiner has not established a *prima facie* case of obviousness for claim 1.

Accordingly, at least based on its dependency to claim 1, claim 6 should be found allowable over the applied references, as well as for its additional distinguishing features.

**Chen, Siemens, and Thomas**

At page 6 of the Office Action, the Examiner rejected claims 14-20 and 23-25 under 35 U.S.C. § 103(a) as being allegedly unpatentable over Chen, in view of Siemens, and further in view of U.S. Patent Number 6,697,642 B1 to Thomas (“Thomas”). Applicants respectfully traverse this rejection.

At pages 6 and 7 of the Office Action the Examiner argues, to which Applicants do not acquiesce, that Thomas teaches “a method of transmission over a satellite link between a satellite station and a mobile satellite terminal . . . able to transmit at a selected one of a plurality of different forward error correction (FEC) coding rates . . .

wherein a change between successive ones of said FEC coding rates provides a substantially constant change in gain over the satellite link.” However, the Examiner does not use Thomas to teach or suggest, nor does Thomas teach or suggest, at least the above noted distinguishing features of claim 1. Thus, Thomas does not cure all of the deficiencies of Chen and Siemens. Therefore, for at least the above-mentioned reasons, the Examiner has not established a prima facie case of obviousness for claim 1.

Accordingly, at least based on their respective dependencies to claim 1, claims 14-20 and 23-25 should be found allowable over the applied references, as well as for their additional distinguishing features.

**Chen, Siemens, and Mantha**

At page 10 of the Office Action, the Examiner rejected claims 26-29 under 35 U.S.C. § 103(a) as being allegedly unpatentable over Chen, in view of Siemens, and further in view of Mantha (WO 01/91407 A1) (“Mantha”). Applicants respectfully traverse this rejection.

At pages 10 and 11 of the Office Action the Examiner argues, to which Applicants do not acquiesce, that Mantha teaches “a system comprising a transmitter and one or more of a plurality of receivers . . . , wherein the transmission includes a plurality of packets addressed respectively to the receivers.” However, the Examiner does not use Mantha to teach or suggest, nor does Mantha teach or suggest, at least the above noted distinguishing features of claim 1. Thus, Mantha does not cure all of the deficiencies of Chen and Siemens. Therefore, for at least the above-mentioned reasons, the Examiner has not established a prima facie case of obviousness for claim 1.

Accordingly, at least based on their respective dependencies to claim 1, claims 26-29 should be found allowable over the applied references, as well as for their additional distinguishing features.

**Chen, Siemens, and Vistar**

At page 13 of the Office Action, the Examiner rejected claims 30 and 31 under 35 U.S.C. § 103(a) as being allegedly unpatentable over Chen, in view of Siemens, and

further in view of Vistar (WO 99/49592) (“Vistar”). Applicants respectfully traverse this rejection.

At page 13 of the Office Action the Examiner argues, to which Applicants do not acquiesce, that Vistar teaches “a communication system which assigns a plurality of packets addressed to a respective plurality of wireless receivers to a plurality of wireless bearers . . . via the carriers 17 . . . .” However, the Examiner does not use Vistar to teach or suggest, nor does Vistar teach or suggest, at least the above noted distinguishing features of claim 1. Thus, Vistar does not cure all of the deficiencies of Chen and Siemens. Therefore, for at least the above-mentioned reasons, the Examiner has not established a *prima facie* case of obviousness for claim 1.

Accordingly, at least based on their respective dependencies to claim 1, claims 30 and 31 should be found allowable over the applied references, as well as for their additional distinguishing features.

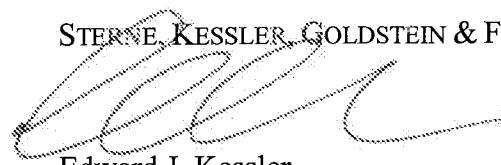
### ***Conclusion***

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Reply is respectfully requested.

Respectfully submitted,

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